



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

CHATFIELD

Appln. No. 09/646,925

Filed: January 31, 2001

Confirmation No.: 2850

Atty. Ref.: 117-320

Group Art Unit: 1645

Examiner: V.L. Ford

FOR: BACTERIA ATTENUATED BY A NON-REVERTING MUTATION IN EACH OF
THE *aroC*, *ompF* AND *ompC* GENES, USEFUL AS VACCINES

* * *

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

October 17, 2003

Hon. Commissioner for Patents
Arlington, VA 22202

Sir:

With regard to the Interview Summary dated September 25, 2003 which was part of the Office Action (Paper No. 19), the following is Applicant's record of the substance of the interview as required by the Examiner.

The Examiner advised that claims 1, 5-11 and 17 were in condition for allowance because she was withdrawing all of the rejections of record, but that several informalities matters needed to be addressed. She advised the undersigned that they could be corrected by examiner's amendment or by Applicant. The Office Action received by Applicant did not contain an examiner's amendment.

In particular, the priority claim made in the Rule 63 Declaration needed to be added after the title, a reference to the appropriate sequence identifiers needed to be added for the PCR primers (Table 1 on pages 26-27 of the specification) to comply with the Sequence Rules, and the form of the Markush group recited in claim 7 needed to be corrected. The Examiner also requested cancellation of non-elected claims 12 and 16, but Applicant had previously requested rejoinder of those claims upon allowance of the claims of elected Group I. No Examiner's Amendment was received so Applicant has filed his own amendment to correct these informalities.

In a voicemail message left for the Examiner on September 26, 2003, Applicant reminded the Examiner to consider the Information Disclosure Statement of December

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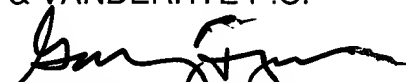
4, 2002 and to return an initialed copy of the Form PTO-1449 so the cited documents can be listed on the face of the patent.

The Examiner is invited to contact the undersigned if any further information is required to complete the record of the substance of the interview.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Gary R. Tanguawa
Reg. No. 43,180

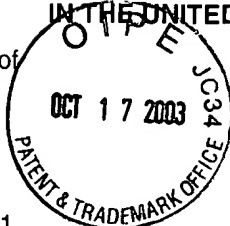
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In re Patent Application of

Atty Dkt. 117-320

C# M#

CHATFIELD



Group Art Unit: 1645

Serial No. 09/646,925

Examiner: V.L. Ford

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Date: October 17, 2003

Title: BACTERIA ATTENUATED BY A NON-REVERTING MUTATION IN EACH OF THE
AROC, OMPF AND OMPC GENES, USEFUL AS VACCINES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$ 86.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract
☐ Applicant claims "small entity" status. ☐ Statement filed herewith -\$ 0.00

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Gary R. Tanigawa, Reg. No. 43,180

Signature: 